

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 30, 1998
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:17 a.m. Mayor Golding recessed the regular meeting at 10:33 a.m. and convened the Special Joint Council Meeting with the Redevelopment Agency. Mayor Golding reconvened the meeting at 10:40 a.m. with all members present. Mayor Golding recessed the regular meeting at 10:42 a.m. to convene the Housing Authority. Mayor Golding reconvened the meeting at 11:00 a.m. with all members present. Mayor Golding recessed the regular meeting at 11:31 a.m. to convene the Redevelopment Agency. Mayor Golding reconvened the meeting at 11:33 a.m. with all members present. The meeting was recessed by Mayor Golding at 12:10 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:13 p.m. with all Council Members present. Council Member Stevens introduced representatives in Navy training from Germany, Ghana, Egypt, Japan, Morocco, Mexico, Uruguay, Thailand, Taiwan, Kuwait, Greece, and Singapore. The State Department invited them to come study military procedures. They were accompanied by Marilyn Johnson, the training officer with the United States Government. Mayor Golding adjourned the meeting at 3:06 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present

- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

Clerk-Fishkin (pr/lw)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Rochelle Bold regarding industrial land supply in Sorrento Hills and the future of the biomedical industry in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A013-037.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comment by Don Leichtling regarding streamlining the process of replacing "dawn to dusk" streetlights with mid-block" lights, and his suggestion there needs to be more motorcycle parking spaces installed throughout the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-068.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Kehoe regarding pending federal legislation for banning off-shore drilling, and her request that the City Council Members support the legislation.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A069-114.)

ITEM-117:

SUBJECT: Refunding of SANDAG Loan.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1495) ADOPTED, RECONSIDERED, AND ADOPTED AS
RESOLUTION R-290420

Amending the Fiscal Year 1998 CIP Budget by increasing
CIP-52-356.0 (CVREP/SR-56 Property Acquisition) by
\$3,911,304;

Authorizing the City Auditor and Comptroller to
appropriate and transfer an amount not to exceed
\$2,400,000 from the Gas Tax fund (30219), to
CIP-52-356.0, for principal payment;

Authorizing the City Auditor and Comptroller to
transfer from TransNet funded (30300) CIP-project as
follows: an amount not to exceed \$69,100 from
CIP-39-214.0 to CIP-52-356.0; an amount not to exceed
\$109,000 from CIP-52-537.0 to CIP-52-356.0; an amount
not to exceed \$65,000 from CIP-52-565.0 to
CIP-52-356.0; an amount not to exceed \$145,000 from
CIP-52-622.0 to CIP-52-356.0; an amount not to exceed
\$25,000 from CIP-52-564.0 to CIP-52-356.0; an amount
not to exceed \$31,000 from CIP-52-635.0 to
CIP-52-356.0; an amount not to exceed \$47,000 from
CIP-52-634.0 to CIP-52-356.0; an amount not to exceed
\$94,000 from CIP-52-638.0 to CIP-52-356.0; and an
amount no to exceed \$14,900 from CIP-52-500.0 to
CIP-52-356.0, for principal payment;

Authorizing the City Auditor and Comptroller to transfer from TransNet funded (30300) CIP projects as follows: an amount not to exceed \$12,000 from CIP-12-110.0 to CIP-52-356.0; an amount not to exceed \$5,000 from CIP-52-604.0 to CIP-52-356.0; an amount not to exceed \$13,000 from CIP-52-610.0 to CIP-52-356.0; an amount not to exceed \$13,000 from CIP-52-636.0; an amount not to exceed \$5,000 from CIP-52-611.0 to CIP-52-356.0; and an amount not to exceed \$92,304 from CIP-52-500.0 to CIP-52-356.0, for interest payment;

Authorizing the City Auditor and Comptroller to appropriate and transfer an amount not to exceed \$207,000 from Carmel Valley - SANDAG Loan Fund (790021) to CIP-52-356.0, for interest payment;

Authorizing the City Auditor and Comptroller to appropriate and transfer an amount not to exceed \$488,000 from SANDAG Advance for SR-56 Fund (790022) to CIP-52-356.0, for interest payment;

Authorizing the City Auditor and Comptroller to appropriate and transfer an amount not to exceed \$76,000 from the SR-56 Participation Agreement Fund (10515) to CIP-52-356.0, for interest payment;

Authorizing the expenditure of an amount not to exceed \$3,911,304 (\$3,000,000 principal and \$911,304 interest) from CIP-52-356.0, per agreement with SANDAG for the repayment of advance financing for the CVREP/SR-56 right-of-way acquisition.

CITY MANAGER SUPPORTING INFORMATION:

On July 9, 1991 the City Council accepted a \$8 million loan from SANDAG (RR-2782973) to pay for a portion of State Route 56 in the Carmel Valley area, as well as the Carmel Valley River Enhancement Project (CVREP) (which is associated with SR-56).

Specifically, it was used to acquire over 120 acres of property for these two projects. On February 2, 1995; June 30, 1995; and May 28, 1996 the City repaid parts of this loan. This act will provide for the final payment of this loan, including accrued interest, in the amount of \$3,911,304.

Aud. Cert. 9801354.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D011-589.)

Motion by Mathis to adopt the Manager's recommendation.
Second by Wear. Yeas-12358M; Nays-467; Not Present-None.

MOTION BY McCARTY TO RECONSIDER. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY MATHIS TO ADOPT THE MANAGER'S RECOMMENDATION.
Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Two actions related to Inviting Bids for the
Improvement of College Grove Drive between 54th Street
and College Grove Way.

(Mid-City Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-1058 COR.COPY) ADOPTED AS RESOLUTION
R-290401

Inviting bids for the improvement of College Grove Drive between 54th Street and College Grove Way on Work Order No. 119734;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$2,912,999 from TransNet Fund 30300 and an amount not to exceed \$770,000 from TransP Fund 30303, CIP-52-477.0 (College Grove Drive - 54th Street to College Grove Way), solely to provide funds for construction and construction administration;

Accepting \$981,600 in State-Local Transportation Partnership Program Funds for CIP-52-477.0, College Grove Drive;

Authorizing the expenditure of an amount not to exceed \$981,600 from CIP-52-477.0, Fund No. 38818, solely for providing funds for remaining construction contingent on fully executed program supplement. (BID-K98085C)

Subitem-B: (R-98-1528) ADOPTED AS RESOLUTION R-290402

Certifying that the information contained in Mitigated Negative Declaration LDR-96-0313, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that the Declaration reflects the independent judgement of the City as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been

reviewed and considered by the Council in connection with the approval of improvements to College Grove Drive between 54th Street and College Grove Way;

Adopting the findings made with respect to the project;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

This project constructs the widening of College Grove Drive, in the second of two phases, to four lanes between 54th Street and College Grove Way. The construction provides curb/gutter, sidewalk, drainage, traffic signal, hardscape, landscape and irrigation improvements. In addition, community and park entrance monuments, art elements, and pedestrian amenities are project features. Through the State-Local Transportation Partnership Program (SLTPP) under Cycle 8, the project is programmed to receive \$981,600 if the Construction Contract is awarded by June 30, 1998.

Aud. Cert. 9801453.

FILE LOCATION: Subitems A,B: W.O. 119734 CONT - Scheidel Contracting & Engineering

COUNCIL ACTION: (Tape location: A272-613.)

MOTION BY STEVENS TO APPROVE THE PROJECT TO AUTHORIZE A CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER CONTINGENT UPON THE CITY AUDITOR CERTIFYING THAT FUNDS EXIST FOR THIS PROJECT; AUTHORIZE THE EXPENDITURE OF NOT TO EXCEED \$4,312,999 FROM TRANSNET FUND 30300 AND AN AMOUNT NOT TO EXCEED \$770,000 FROM TRANSP FUND 30303, CIP 52-447.0 SOLELY TO PROVIDE FUNDS FOR CONSTRUCTION AND CONSTRUCTION ADMINISTRATION. EXCLUDE FROM THE CONTRACT THREE BENCHES AT THE COST OF \$35,000 EACH TO BE REPLACED BY BENCHES THAT ARE

ESTHETIC FOR THE AREA AND COST EFFECTIVE. ACCEPT \$981,600 IN STATE-LOCAL TRANSPORTATION PARTNERSHIP PROGRAM FUNDS FOR CIP 52-477.0, COLLEGE GROVE DRIVE; AUTHORIZE EXPENDITURES OF AN AMOUNT NOT TO EXCEED \$981,600 FROM CIP-52-477.0 FUND NO. 38818, SOLELY FOR PROVIDING FUNDS FOR REMAINING CONSTRUCTION CONTINGENT ON FULLY EXECUTED PROGRAM SUPPLEMENT, AND DIRECT THE CITY MANAGER TO MODIFY THE FY99 CIP BUDGET TO REFLECT THE INCREASED PROJECT AMOUNT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-207:

SUBJECT: Transfer of Superfund/TransNet Funds to Critical Drainage Projects.

(Serra Mesa, Greater Golden Hill, Scripps Ranch, Clairemont Mesa, Linda Vista, Mid-City, Pacific Beach, Navajo, Southeast San Diego, La Jolla, Ocean Beach, Uptown, Rancho Bernardo, Barrio Logan, Mission Beach Community Areas. Districts-1,2,3,4,5,6,7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1500) ADOPTED AS RESOLUTION R-290403

Amending the Fiscal Year 1998 Capital Improvements Program Budget by increasing CIP-17-001.0, Annual Allocation - Minor Drain and Seepage Programs, by \$755,000 and by increasing CIP-18-001.0, Annual Allocation - Cooperative Storm Drain Projects, by \$245,000;

Authorizing the City Auditor and Comptroller to appropriate and transfer an amount not to exceed \$755,000 from TransNet Fund 30300 to CIP-17-001.0, Annual Allocation - Minor Drain and Seepage Problems; and an amount not to exceed \$245,000 from TransNet Fund 30300 to CIP-18-001.0, Annual Allocation - Cooperative Storm Drain Projects, for the following projects:

Job Order	Project	Amount
17-001.0	Royce Court Drain	\$ 80,000
17-001.0	B Street Drain w/o 29th	40,000
17-001.0	Pomerado Road - btn Creek Rd and Spring Canyon Rd - Drainage	\$ 26,000
17-001.0	Morena Blvd. (4090) Drainage	60,000
17-002.3	Cobb Drive Drain	80,000
17-011.6	Comstock at 2266-2268 Drain	50,000
17-011.7	54th Drain s/o Grape	50,000
17-103.4	N. Hempstead Circle (4030) Storm Drain	20,000
17-103.6	Crown Point Drive (3540) Storm Drain	60,000
17-103.7	Keighley Street (7028) Storm Drain	20,000
17-103.8	F Street @@ 3235 Drain	69,000
17-103.9	Coast Blvd. @@ 303 Drain	40,000
17-104.0	Ocean Beach Drainage Study	20,000
17-500.0	Washington Place @@ 1812 Drain	115,000
17-500.1	Rancho Bernardo Rd & Pomerado CM Arch Rehabilitation	140,000
17-500.2	21st & Julian Sts Storm Drain Restoration	30,000
18-001.8	Storm Station N Improvements	100,000
	TOTAL	\$1,000,000

Authorizing the expenditure of an amount not to exceed \$755,000 from Fund 30300 CIP-17-001.0, Annual Allocation - Minor Drain and Seepage Problems; and an amount not to exceed \$245,000 from Fund 30300, CIP-18-001.0, Annual Allocation - Cooperative Storm Drain Projects, for the following projects:

Job Order	Project	Amount
17-001.0	Royce Court Drain	\$ 80,000
17-001.0	B Street Drain w/o 29th	40,000
17-001.0	Pomerado Road - btn Creek Rd and Spring Canyon Rd - Drainage	\$ 26,000
17-001.0	Morena Blvd. (4090) Drainage	60,000
17-002.3	Cobb Drive Drain	80,000
17-011.6	Comstock at 2266-2268 Drain	50,000
17-011.7	54th Drain s/o Grape	50,000
17-103.4	N. Hempstead Circle (4030) Storm Drain	20,000
17-103.6	Crown Point Drive (3540) Storm Drain	60,000
17-103.7	Keighley Street (7028) Storm Drain	20,000
17-103.8	F Street @@ 3235 Drain	69,000
17-103.9	Coast Blvd. @@ 303 Drain	40,000
17-104.0	Ocean Beach Drainage Study	20,000
17-500.0	Washington Place @@ 1812 Drain	115,000
17-500.1	Rancho Bernardo Rd & Pomerado CM Arch Rehabilitation	140,000
17-500.2	21st & Julian Sts Storm Drain Restoration	30,000
18-001.8	Storm Station N Improvements	100,000
	TOTAL	\$1,000,000

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer exceed budgeted funds, if any, to the appropriate TransNet reserve.

CITY MANAGER SUPPORTING INFORMATION:

At the February 24, 1998 City Council Meeting, the Council directed that \$1,000,000 in TransNet funds, earmarked to be divided up equally and used by the City Council for improvements within the Council Districts, be referred back to the City Manager to determine the use of the funds for emergency purposes. With this action, funds will now be used to fund various critical drainage projects citywide as a result of El Niño storm damage.

Aud. Cert. 9801388.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A114-200.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208:

SUBJECT: Park and Recreation Department - New and Revised Fees.

(See City Manager Report CMR-98-135.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1520 Cor.Copy) ADOPTED AS RESOLUTION R-290421

Approving six new fees and three revised fees for
inclusion in the Park and Recreation Department's Fee
Schedule.

FILE LOCATION: GEN'L - Fees & Charges-Park and
Recreation Department

COUNCIL ACTION: (Tape location: E010-078.)

Hearing began at 2:56 p.m. and halted at 3:02 p.m.

MOTION BY MATHIS TO ADOPT THE MANAGER'S RECOMMENDATION WITH
DIRECTION TO BRING THE ISSUE OF GOLF FEES TO THE NATURAL
RESOURCES AND CULTURES COMMITTEE FOR DISCUSSION AS REQUESTED
BY DEPUTY MAYOR WEAR. Second by Wear. Passed by the
following vote: Mathis-yea, Wear-yea, Kehoe-nay,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay,
Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: This is the public meeting regarding the annual
assessments for the North Park Lighting and Landscape
District. Following public testimony at today's
meeting, the Council will consider and may confirm the
proposed assessments.

(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt
the following Resolution:

(R-98-1164) ADOPTED AS RESOLUTION R-290404

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance in the matter of the North Park Lighting
and Landscape District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1999 assessments for the North Park Lighting and Landscape District (LLD). The district was established in July of 1996 to provide maintenance of the landscaping improvements and street lights within the district boundaries. Funding for the district's proposed capital improvement program will be provided from a portion of the districts assessments through Fiscal Year 2003. The Fiscal Year 1999 proposed maintenance costs for the district are as follows:

DESCRIPTION	OPERATIONS	FUND RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 50,006.00	\$ 50,006.00
REVENUE:			
Assessments	\$221,000.00	\$ 0.00	\$221,000.00
Interest	0.00	1,000.00	1,000.00
City Contribution:	4,344.00	0.00	4,344.00
TOTAL REVENUE	\$225,344.00	\$ 1,000.00	\$226,344.00
TRANSFER:	\$ 29,372.00	(\$ 29,372.00)	0.00
EXPENSE:			
Personnel	\$ 20,253.00	\$ 0.00	\$ 20,253.00
Contractual	157,195.00	0.00	157,195.00
Incidental	59,459.00	0.00	59,459.00
Utilities	17,809.00	0.00	17,809.00
TOTAL EXPENSE	\$254,716.00	\$ 0.00	\$254,716.00
ENDING BALANCE	\$ 0.00	\$ 21,628.00	\$ 21,628.00

The proposed assessment for Fiscal Year 1999 is \$12.32 per equivalent benefit unit (EBU) and a maximum authorized assessment is \$14.91 per EBU indexed annually to the San Diego CPI-U. An assessment was not levied in Fiscal year 1998 at the request of the North Park community, reserve funds were used to provide for the maintenance in order to re-engineer the district. The district contains 17,937 equivalent benefit units (EBU's) and a total of 8,430 parcels.

FILE LOCATION: STRT - M-378-99

COUNCIL ACTION: (Tape location: B291-293.)

Hearing began at 11:25 a.m. and halted at 11:26 a.m.

Mayor Golding closed the hearing.

Mayor Golding announced the Tally for the North Park Lighting and Landscape District: No votes: 879 for a total Assessment amount of \$33,592.85; Yes votes: 1,982 for a total Assessment amount of \$55,634.50.

MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: This is the public meeting regarding the annual assessments for the Sabre Springs Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-98-1158) ADOPTED AS RESOLUTION R-290405

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance in the matter of the Sabre Springs
Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1999 assessments for the Sabre Springs Landscape Maintenance District (LMD). The district was established in 1982 to provide maintenance for landscaped medians, improved open space, streetscapes, and natural open space. For Fiscal Year 1999, the district will maintain 2.89 acres of landscaped medians, 1.65 acres of paved medians, 1.8 acres of landscaped right-of-way, 23.2 acres of enhanced open space, 505 acres of natural open space, 1.1 acres of landscaped crib walls and ornamental street lighting along two bridges. The Fiscal Year 1999 proposed maintenance costs for the district areas follows:

DESCRIPTION	OPERATIONS	FUND RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 97,006.00	\$ 97,006.00
REVENUE:			
Assessments	\$ 69,706.00	\$ 0.00	\$ 69,706.00
Interest	0.00	3,400.00	3,400.00
City Contribution:	42,992.00	0.00	42,992.00
TOTAL REVENUE	\$112,698.00	\$ 3,400.00	\$116,098.00
TRANSFER:	28,353.00	(28,353.00)	0.00
EXPENSE:			
Personnel	\$ 28,943.00	\$ 0.00	\$ 28,943.00
Contractual	70,000.00	0.00	70,000.00
Incidental	29,808.00	0.00	29,808.00
Utilities	12,300.00	0.00	12,300.00
TOTAL EXPENSE	\$141,051.00	\$ 0.00	\$141,051.00
ENDING BALANCE	\$ 0.00	\$ 72,053.00	\$ 72,053.00

The proposed assessment for Fiscal Year 1999 is \$15.56 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The District contains 4,479.8 equivalent benefit units (EBU's). This District has been re-engineered. Although the assessment hasn't changed from Fiscal Year 1998, individual parcels may be impacted by the change in apportionment.

FILE LOCATION: STRT - M-401-99

COUNCIL ACTION: (Tape location: B295-305.)

Hearing began at 11:26 a.m. and halted at 11:27 a.m.

Mayor Golding closed the hearing.

Mayor Golding announced the Tally for the Sabre Springs Landscape Maintenance District. No votes: 89 for a total Assessment Amount of \$1,182.51; Yes votes: 729 for a total Assessment Amount of \$11,340.18.

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: This is the public meeting regarding the annual assessments for the Carmel Mountain Ranch Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt
the following Resolution:

(R-98-1161) ADOPTED AS RESOLUTION R-290406

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance in the matter of the Carmel Mountain Ranch
Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1999 assessments for
Carmel Mountain Ranch Landscape Maintenance District (LMD). The
district was established in October 1985 to provide maintenance
of certain paved and landscaped medians and streetscapes within
the district boundaries. The Fiscal Year 1999 proposed
maintenance costs for the district are as follows:

DESCRIPTION	OPERATIONS	FUND RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 33,556.00	\$ 33,556.00
REVENUE:			
Assessments	\$ 239,700.00	\$ 0.00	\$ 239,700.00
Interest	0.00	2,600.00	2,600.00
City Contribution	26,050.00	0.00	26,050.00
TOTAL REVENUE	\$ 265,750.00	\$ 2,600.00	\$ 268,350.00
TRANSFER:	13,273.00	(13,273.00)	0.00
EXPENSE:			
Personnel	\$ 28,943.00	\$ 0.00	\$ 28,943.00
Contractual	163,000.00	0.00	163,000.00
Incidental	52,580.00	0.00	52,580.00
Utilities	34,500.00	0.00	34,500.00
TOTAL EXPENSE	\$ 279,023.00	\$ 0.00	\$ 279,023.00

ENDING BALANCE \$ 0.00 \$ 2,883.00 \$ 22,883.00

The proposed assessment for Fiscal Year 1999 is \$19.82 per equivalent benefit unit (EBU) and the maximum authorized assessment is \$20.27 per EBU indexed annually to the San Diego CPI-U. The District was re-engineered and assessment amount reduced by \$4.11 (17.1%) per EBU from the Fiscal Year 1998 assessment of \$23.96 per EBU. The district contains 12,092.83 equivalent benefit units (EBU's).

FILE LOCATION: STRT - M-361-99

COUNCIL ACTION: (Tape location: B305-310.)

Hearing began at 11:27 a.m. and halted at 11:28 a.m.

Mayor Golding closed the hearing.

Mayor Golding announced the Tally for the Carmel Mountain Ranch Landscape Maintenance District: No votes: 133 for a total Assessment Amount of \$25,033.25; Yes votes: 1,054 for a total Assessment Amount of \$32,579.21.

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Torrey Reserve Gateway; Proposed amendment to the Sorrento Hills Community Plan and to the Progress Guide and General Plan; and approving Rezone, Vesting Tentative Map Amendment No. 96-0464 (Amendment to HRP 83-0167.1.)

(See City Manager Report No. P-98-117.
RZ/VTM/PRD 96-0464. District-1.)

NOTE: The Council will have the option of accepting
the City Manager's Recommendation in Subitem A OR the
Applicant's request in Subitem B.

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in Subitems A(1) to certify
EIR-96-0464 and Subitem A(2) to deny the project:

Subitem-A(1): (R-98-1554) NOTED AND FILED

Adoption of a Resolution certifying that the
information contained in Environmental Impact Report
EIR-96-0464 has been completed in compliance with the
California Environmental Quality Act of 1970 and State
CEQA guidelines, that the declaration reflects the
independent judgment of the City of San Diego as Lead
Agency, and that the information contained in the
report, together with any comments received during the
public review process, has been reviewed and considered
by the Council; stating for the record that the final
EIR has been reviewed and considered prior to taking
action on the project.

Subitem-A(2): (R-98-1562) NOTED AND FILED

Adoption of a Resolution to DENY THE PROJECT.

OR

APPLICANT'S REQUEST:

Adopt the resolutions in Subitems B(1) through B(4) and
introduce the ordinance in Subitem B(5) for approval of the
project.

Subitem-B(1): (R-98-1553) ADOPTED AS RESOLUTION R-290407

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-96-0464 has been completed in compliance with the California Environmental Quality Act of 1970 and State CEQA guidelines, that the declaration reflects the independent judgment of the City of San Diego as Lead Agency, and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council; adopting appropriate Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program; stating for the record that the final EIR has been reviewed and considered prior to taking action on the project.

Subitem-B(2): (R-98-1561) ADOPTED AS RESOLUTION R-290408

Adoption of a Resolution approving the amendments to the Sorrento Hills Community Plan and Progress Guide and General Plan.

Subitem-B(3): (R-99-180 COR.COPY) GRANTED MAP, ADOPTED
AS RESOLUTION
R-290409

Adoption of a Resolution granting the Vesting Tentative Map VTM-96-0464.

Subitem-B(4): (R-99-181 COR.COPY) GRANTED PERMIT,
ADOPTED AS
RESOLUTION R-290410

Adoption of a Resolution granting Planned Residential Development Permit No. 96-0464 - Torrey Reserve Gateway.

Subitem-B(5): (O-98-155) INTRODUCED, TO BE ADOPTED JULY
20, 1998

Introduction of an Ordinance rezoning the Torrey
Reserve Gateway property from A1-10 to R-1500.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-0 to approve.

Ayes: White, Butler, Watson, Skorepa and Steele

Nays: None

Not Present: Quinn and Anderson

SUPPORTING INFORMATION:

The Torrey Reserve Gateway site is located east of Interstate 5, north and south of Carmel Mountain Road in the Sorrento Hills Community Plan. The vacant site is currently zoned A1-10 with Hillside Review Overlay Zone. The site is designated in the Sorrento Hills Community Plan for Industrial Development and Open Space. Surrounding development includes the Torrey View Planned Residential Development located to the north (single-family residential) and Torrey Hills Industrial Business Park and Planned Residential Development (single-and multi-family residential) to the east and southeast. The project would require an amendment to the Sorrento Hills Community Plan and the City's Progress Guide and General Plan to redesignate the site from Industrial and Open Space to medium low density residential use (15-29 dwelling units per acre) and open space. The property would also require a rezone from A-1-10 (agriculture, 1 dwelling unit per 10 acres) to R-1500 (1 dwelling unit per 1,500 square feet) to accommodate the multi-family residential land use. In addition, the project involves a Planned Residential Development Permit (PRD) and a Vesting Tentative Map (VTM) to allow for the construction of multi-family residential development. Torrey Reserve Gateway would provide for 581 rental apartment units within a net area of 22.6 acres resulting in a density of 25 du/ac. The proposed development would also require certification

of Environmental Impact Report LDR-96-0464 including adoption of Candidate Findings and Statement of Overriding Considerations.

The City Manager does not recommend approval of the applicant's proposed Plan Amendment from industrial to residential land because of a shortage of industrial land in the northern area of the City that has developed in the last several years. However, should the Council decide to approve the Plan Amendment from Industrial to Residential land use the project as designed meets all applicable regulations of the City of San Diego for residential projects and would provide housing of a type that is needed in this community.

LEGAL DESCRIPTION:

The 37.9 gross-acre site is located east of Interstate 5, north and south of Carmel Mountain Road within the Sorrento Hills Community Plan (a portion of Lots 1, 2 & 3, Section 31, Township 14 South, Range 3 West, East half).

FILE LOCATION: Subitems A(1),A(2),B(1),B(2),B(3),B(4):
LAND - Sorrento Hills Community Plan
(10); Subitem B(5): NONE

COUNCIL ACTION: (Tape location: A114-200.)

Hearing began at 10:40 a.m. and halted at 10:47 a.m.

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTIONS GRANTING THE PERMIT AND THE MAP. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334: CONTINUED TO JULY 28, 1998

SUBJECT: Three actions related to a Street Vacation and Slope Easement Abandonment in a portion of Cass Street and Rutgers Road in conjunction with LDR-96-8294.

(La Jolla & Pacific Beach Community Areas. Districts-1 & 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-1043)

Certifying that the information contained in Environmental Negative Declaration DEP-96-8294 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said declaration reflects the independent judgement of the City of San Diego as Lead Agency; stating for the record that the declaration has been reviewed and considered prior to approving the project.

Subitem-B: (R-98-1041)

Summarily vacating a portion of Cass Street and Rutgers Road north of Van Nuys Street in accordance with Section 8331 et seq. of the Public Streets and Highways Code.

Subitem-C: (R-98-1042)

Summarily vacating slope easements in Block 9, Map-928 and in Block 9, Map-930 in accordance with Section 8334 et seq. of the Public Streets and Highways Code.

NOTE: See Item 335 for a companion item.

CITY MANAGER SUPPORTING INFORMATION:

The abutting property owner has requested the vacation of Cass Street and Rutgers Road (with associated slope easements) in order to use the area for a single family residential development in the future. The Cass Street portion of the vacation area is within the La Jolla Community Planning Area and comprises 8,003 square feet (.18 acres). The Rutgers Road portion of the vacation area (including slope easements) is within the Pacific Beach Community Planning Area comprises 14,361 square feet (.33 acres) and is fee owned by the City. A land sale at fair market value for the Rutgers Road portion is a companion Council item. Both areas are within the R-1-5000 Zone and when joined with the applicants property would allow additional single family residential development. The applicant has obtained an access easement from Lot 32, Map-4551 to access the site from Moonlight Lane. No homes exist on the abutting properties today. A Negative Declaration, DEP-96-8294, was prepared as part of this request. Any future development will be subject to City zoning and development permit procedures. The La Jolla Community Planning Association voted 7-5-1 to approve the vacation and the Pacific Beach Community Planning Committee voted unanimously to approve this action. The right-of-way to be vacated does contain public utilities for which easements are being reserved. Staff review has indicated that the right-of-way may be summarily vacated and that the four required findings for vacation can be made.

FOUR FINDINGS: 1) The portions of streets to be vacated are not needed for present or prospective public street purposes; 2) the public will benefit from the vacation through improved utilization of the land; 3) the vacation is consistent with the approved Community Plan; and 4) the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation.

FILE LOCATION: Subitems A,B: STRT - J-2885; Subitem C:
NONE

COUNCIL ACTION: (Tape location: B016-286.)

Hearing began at 11:02 a.m. and halted at 11:21 a.m.

Testimony in opposition by Roger Anderson, Abbas Moshtagh, and Marc Lanci.

Testimony in favor by James Nolan, Karen Wullich, and John Wullich.

MOTION BY MATHIS TO CONTINUE THIS ITEM TO JULY 28, 1998 TO ALLOW TIME FOR REAL ESTATE ASSET MANAGEMENT AND THE PLANNERS TO MEET WITH ADJACENT PROPERTY OWNERS REGARDING CASS STREET AND RUTGERS ROAD PROPERTY. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335: CONTINUED TO JULY 28, 1998

SUBJECT: Exclusive Sale - Portion of Rutgers Road.

(Pacific Beach Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1168)

Authorizing the exclusive sale of a 0.18-acre portion of Rutgers Road for \$123,000, which amount has been established by independent appraisal to be fair market value, and which is an undeveloped and unneeded

City-owned street at the north end of Cass Street on
the Pacific Beach - La Jolla boundary;

Authorizing the execution of a grant deed, conveying
the property to Chloe Edge Trust dated June 17, 1994.

NOTE: See Item 334 for a companion item.

CITY MANAGER SUPPORTING INFORMATION:

Proposed for sale to Chloe Edge Trust is a 0.18-acre portion of Rutgers Road, which is an undeveloped and unneeded City-owned street at the north end of Cass Street on the Pacific Beach - La Jolla boundary. Chloe Edge Trust, the adjacent owner, wishes to assemble street right-of-way with land the Trust already owns to form a buildable site for a single-family residence. A proposed street vacation of this portion of Rutgers Road and an adjacent portion of Cass Street has been prepared by Development Services. The street vacation and sale are being presented to the City Council as companion items. However, only Rutgers Road is included in the land sale because the City does not have an ownership interest in the Cass Street portion of the street vacation. The value of the Rutgers Road street vacation area was determined by independent fee appraisal to be \$123,000 as of January 1, 1998.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B016-286.)

MOTION BY MATHIS TO CONTINUE THIS ITEM TO JULY 28, 1998 TO ALLOW TIME FOR REAL ESTATE ASSET MANAGEMENT AND THE PLANNERS TO MEET WITH ADJACENT PROPERTY OWNERS REGARDING CASS STREET AND RUTGERS ROAD PROPERTY. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Two actions related to Adopting the Corporation's
Annual Administrative Budget for Fiscal Year 1998-99.

(See memorandum from SEDC.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-1486) ADOPTED AS RESOLUTION R-290411

Accepting and approving the administrative budget;

Declaring that approval of this budget constitutes authority for the expenditure of available funds in Fiscal Year 1998-1999 so long as funds are available from the tax increment generated by projects, from allocations of funds by the Council from such sources as Community Development Block Grants, sales tax or others, and from the allocation of funds by such entities as the Economic Development Administration or others;

Authorizing the City Auditor and Comptroller to establish the necessary accounts, appropriate and allot all monies available in each project fund up to the amounts budgeted, and record the expenditure of funds and the recovery of all accrued costs subject to the amount of revenues available in each project fund;

Authorizing the Southeastern Economic Development Corporation's (SEDC) President, or designee, to request the City Auditor and Comptroller to make budgetary transfers between the line items.

Subitem-B: (R-98-1487) ADOPTED AS RESOLUTION R-290412

Accepting the payment of \$730,009 from the Mt. Hope Redevelopment Project, and \$108,363 from the Southcrest Redevelopment Project, of monies previously loaned to the Redevelopment Agency by the City;

Authorizing the transfer of \$838,372 to the Agency as an interest bearing loan to be used in the proposed FY 98/99 Southeastern Economic Development Corporation (SEDC) Project budget for the Central Imperial and Gateway Center West Redevelopment Project areas;

Authorizing the City Auditor and Comptroller to record the loan as an interest bearing loan to the Agency to be repaid as soon as practicable from tax increment or other appropriate revenues.

CITY MANAGER SUPPORTING INFORMATION:

SEDC FY 98/99 Reloans

Uses:	Fund No.	Department	Amount
Dells Imperial	98630	98630	\$204,038
Central Imperial			
Imperial Creek	98780	98780	\$315,626
Lincoln High	98778	98778	26,913
Central - General	98770	98761	120,767
Commercial Rehab.	9877xx	987xx	100,000
Subtotal			\$563,306
Gateway - Comm. Rehab.	9835xx	9835xx	\$ 71,028
Total Reloan			\$838,372

The funding sources for the CDBG loan repayment of \$838,372 are derived from disposition proceeds, interest income and tax increment generated in Southcrest and Mt. Hope Redevelopment project areas. The proposed loan of \$838,372 would partially

reimburse outstanding CDBG loans to the Southcrest and Mt. Hope Redevelopment Project Areas. The agency will loan back the total amount of \$838,372 to augment the Central Imperial and Gateway Center West Redevelopment Project Areas. It should be noted that whenever SEDC received CDBG funds from the City of San Diego's CDBG Annual Allocation, the funding is recorded as debt by the Agency. Repayment of CDBG loans is a financing mechanism allowed by the Redevelopment law. The abovementioned funds will be used for project implementation costs, planning and administration, redevelopment, legal services, environmental, financing and rehabilitation.

NOTE: See the Redevelopment Agency Agenda of 6/30/98 for a companion item.

FILE LOCATION: Subitems A,B: MEET

COUNCIL ACTION: (Tape location: B330-C241.)

MOTION BY STEVENS TO APPROVE THE ANNUAL ADMINISTRATIVE BUDGET FOR SEDC FOR FISCAL YEAR 1998-99. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337:

SUBJECT: Agreement with Sempra Energy Solutions for the City's Electrical Energy Needs.

(See City Manager Report CMR-98-137.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1549) ADOPTED AS RESOLUTION R-290413

Authorizing an agreement with Sempra Energy Solutions for purposes of meeting 100 percent of the City's electrical energy needs, for a period of two years, under the terms and conditions set forth in City Manager Report CMR-98-137.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A114-200.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S500: CONTINUED TO JULY 21, 1998

(Docketed at the direction of the City Council on Tuesday, June 16, 1998, Item 336 A, Resolution R-290286.)

SUBJECT: Middle Segment of State Route 56 - Adoption of Findings and Statement of Overriding Considerations, and Mitigation, Monitoring and Reporting Program in connection with LDR-95-0099.

(Carmel Valley and Rancho Penasquitos Community Areas. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1431)

Adoption of a Resolution adopting the Findings and Statement of Overriding Considerations and Mitigation,

Monitoring and Reporting Program for the Middle Segment
of State Route 56.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A114-200.)

Hearing began at 10:40 a.m. and halted at 10:47 a.m.

CONSENT MOTION BY KEHOE TO CONTINUE THIS ITEM TO JULY 21,
1998 DUE TO IMPROPER NOTICING. Second by Stallings. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ITEM-CS-1: (R-98-1542) ADOPTED AS RESOLUTION R-290416

A Resolution adopted by the City Council in Closed Session
on June 30, 1998:

Authorizing the City Manager to pay the sum of \$106,500, in
the settlement of each and every claim against the City of
San Diego, its agents and employees, in Superior Court Case
No. 712500, Chris Smith v. City of San Diego, et al,
resulting from personal injuries; authorizing the City
Auditor and Comptroller to issue one check in the amount of
\$106,500, made payable to Chris Smith and her attorney of
record, Jeffrey W. Carver, in full settlement of all claims.

FILE LOCATION: MEET

Aud. Cert. 9801456

ITEM-CS-2: (R-98-1541) ADOPTED AS RESOLUTION R-290417

A Resolution adopted by the City Council in Closed Session
on June 30, 1998:

Authorizing the City Manager to pay the sum of \$40,000, in the settlement of each and every claim against The City of San Diego, its agents and employees, resulting from personal injuries suffered by plaintiffs from a vehicle accident occurring on Orange Avenue, east of 44th Street, on July 29, 1996; authorizing the City Auditor and Comptroller to issue two checks; one in the amount of \$39,750 made payable to Julie Ann Chase and Jeffrey Estes Law Corporation, and one check in the amount of \$250 made payable to Kenneth Chase, Guardian for Kenneth Matthew Chase, a minor and Jeffrey Estes Law Corporation, in full settlement of all claims.

FILE LOCATION: MEET

Aud. Cert. 9801461

ITEM-CS-3: (R-98-1392) ADOPTED AS RESOLUTION R-290418

A Resolution adopted by the City Council in Closed Session
on June 30, 1998:

Authorizing the City Manager to pay the sum of \$34,835.34 in the settlement of each and every claim against The City of San Diego, its agents and employees, resulting from property damage to Rosario and Rose Giacalone and Chris Scarborough; authorizing the City Auditor and Comptroller to issue two

checks as follows: one check payable to Luth and Turley, Inc. in the amount of \$16,835.34, and one check payable to Chris Scarborough in the amount of \$18,000.00 in full settlement of all claims.

FILE LOCATION: MEET

Aud. Cert. 9801323

ITEM-CS-4: (R-98-1574) ADOPTED AS RESOLUTION R-290419

A Resolution adopted by the City Council in Closed Session on June 30, 1998:

Authorizing the City Manager to pay the sum of \$30,000 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from a wrongful death claim of Anna Dean Watwood, et al; authorizing the City Auditor and Comptroller to issue one check made payable to the Estate of Anna Watwood, deceased; Renee Middleton; Ryan Watwood and their attorney of record Barbara B. Savaglio, in the amount of \$30,000 in full settlement of all claims.

Aud. Cert. 9801483

FILE LOCATION: MEET

ITEM-CS-5: (R-98-1332) ADOPTED AS RESOLUTION R-290902

A Resolution adopted by the City Council in Closed Session on June 30, 1998:

Authorizing the City Manager to pay the sum of \$11,432.84 in the settlement of each and every claim against The City of

San Diego, its agents and employees resulting from property damage to Zeferina Gonzalez, et al; authorizing the City Auditor and Comptroller to issue three checks: one check made payable to State Farm Insurance in the amount of \$9,055.25, one check made payable to San Diego Gas & Electric in the amount of \$493.44, and one check made payable to Southwestern Cable in the amount of \$1,884.15, in full settlement of all claims.

Aud. Cert. 9801302

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:06 p.m. in honor of the memory of:

Arthur H. Goodman and Dr. John Chilcott as requested by Council Member Warden.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E079-115).